



United States  
Department of  
Agriculture

March 1, 2005

Marketing and  
Regulatory  
Programs

SUBJECT: Discrimination/Harassment Prevention Policy Statement

Animal and Plant  
Health Inspection  
Service

TO: All NVSL and CVB Employees

Veterinary Services

## 1. PURPOSE

National Veterinary  
Services Laboratories  
and  
Center for Veterinary  
Biologics

This memorandum will reaffirm our commitment to the policy of the U.S. Department of Agriculture (USDA) and the Animal and Plant Health Inspection Service (APHIS) that prohibits unlawful discrimination and workplace harassment.

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Ames, IA 50010

## 2. POLICY

(515) 663-7266  
FAX (515) 663-7397

A. Discrimination. It is the policy of the USDA and the APHIS to provide a work environment that is free from unlawful discrimination on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, or protected activity (opposition to discrimination or participation in proceedings covered by the anti-discrimination statutes).

B. Workplace Harassment. It is also the policy of the USDA and the APHIS that all employees, clients, contractors, and visitors enjoy a work environment that is free from harassing behavior. Employees at all levels of the organization are expected to conduct themselves in a business-like and professional manner and at all times refrain from sexual harassment and other forms of harassment.

C. Remedies. Conduct in violation of this policy will not be tolerated and may result in the initiation of disciplinary action, up to and possibly including removal from the Federal service, against the offending party. Managers and supervisors who become aware of harassing behavior and fail to take immediate corrective action to stop such behavior will also be subject to strict disciplinary action.

## 3. GUIDELINES

A. This policy prohibits discrimination or harassing behavior (derogatory remarks, slurs, jokes, displays of graphic material that reflects in a negative manner upon a class of persons or a particular person) based on or because of a person's race, color, religion, sex, national origin, age, disability, sexual orientation, or having engaged in protected activity.



*Safeguarding American Agriculture*  
APHIS is an agency of USDA's Marketing and Regulatory Programs  
An Equal Opportunity Provider and Employer

Federal Relay Service  
(Voice/TTY/ASCII/Spanish)  
1-800-877-8339

B. **Workplace harassment** is defined as a form of offensive treatment or behavior which to a reasonable person creates an intimidating, hostile, or abusive work environment and/or interferes with an individual's work performance.

C. **Sexual harassment** is a form of workplace harassment.

(1) Sexual harassment is defined by the Equal Employment Opportunity Commission as unwelcome sexual advances or requests for sexual favors and other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual; or

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

(2) Sexual harassment is further defined by the USDA as engaging in coercive or repeated unsolicited and unwelcome verbal comments, gestures, or physical contacts of a sexual nature or using implicit or explicit coercive sexual behavior in the process of conducting agency business or to control, influence, or affect the career, salary, or job of an employee.

#### 4. NONRETALIATION

This policy prohibits retaliation against employees who exercise their rights to report prohibited discrimination or harassment, provide information requested in connection with the investigation of allegations of discrimination or harassment, or who report harassing behavior directed at others. Any employee who engages in retaliatory action or behavior will be subject to disciplinary action.

#### 5. REPORTING PROCEDURES

A. For Harassment. Employees who believe they are being subjected to sexual harassment or other forms of harassment should:

(1) Tell the offending person that his or her conduct is offensive and unwelcome;  
or

(2) Report the offensive conduct to his or her immediate supervisor, to the offender's supervisor, or to higher level management.

An aggrieved employee may also file a complaint through the Equal Employment Opportunity (EEO) Complaint System as described in Marketing and Regulatory Programs Directive MRP 4713.1, Civil Rights, dated November 1, 1996.

Employees who believe they are being subjected to sexual harassment should seek advice and counsel from their supervisor, their director, the NVSL/CVB Management/Employee Advisor (515-663-7238), an EEO Counselor/Mediator (301-734-6317 or 1-800-342-7231), or the Director of the Civil Rights Enforcement and Compliance Staff (202-720-6312). Employees may also report incidents of sexual harassment anonymously by calling the Hotline maintained by the USDA Office of the Inspector General (OIG) at the toll-free number 1-800-424-9121.

B. For Discrimination. Employees who believe that they have been subjected to illegal discrimination may contact the APHIS EEO Counseling/Mediation Staff (301-734-6317 or 1-800-342-7231). Employees may obtain additional information about the EEO complaint process from the EEO Counseling/Mediation Staff or from the NVSL/CVB Management/Employee Advisor (515-663-7238).

/s/ R. L. Levings

Randall L. Levings  
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/s/ S. A. Karli

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